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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,765	12/12/2000	David A. Forder	13215.0023U1	8044
23859	7590	02/24/2004	EXAMINER	
NEEDLE & ROSENBERG, P.C. SUITE 1000 999 PEACHTREE STREET ATLANTA, GA 30309-3915			VU, KIEU D	
			ART UNIT	PAPER NUMBER
			2173	11

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/736,765

Applicant(s)

FORDER, DAVID A.

Examiner

Kieu D Vu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19, 22, and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiner (USP 4862390) and Blum et al ("Blum", USP 5805164).

Regarding claims 1, 10, and 19, Weiner teaches steps of providing suggested completions for a data entry, comprising receiving a data entry (col 2, lines 20-21), applying a set of rules to the data entry to identify a candidate match from a list of possible matches (plurality of entries in the list box), the set of rules implementing a plurality of variables (entries in the list box are variable for the box 31), the plurality of variables defining a plurality of search states from which a candidate match is selected (each one of the entries has a state of being able to be a match of the search); and receiving a response signal associated with the candidate match (col 2, lines 21-27). Weiner differs from the claim in that Weiner does not teach that the data entry is numeric data entry. However, such feature is known in the art as taught by Blum. Blum teaches a portable handheld computing device which comprises the entering and storing numeric data, specifically, telephone number, in a database record (Fig. 8-9). It would have been obvious to one of ordinary skill in the art, having the teaching of Weiner and Blum before him at the time the invention was made, to modify the interface

method taught by Weiner to include the entering and storing numeric data taught by Blum with the motivation being to enable the system to store and retrieve numeric data.

Regarding claim 2, Blum teaches that the numeric data is telephone number (Fig. 8-9).

Regarding claims 3, 12, and 25-28, Weiner teaches that if the said response signal is an acceptance of the candidate match replacing said data entry with the candidate match (col 2, lines 27-30), if said response modifies the data entry, continue the identifying with the modified data entry (col 4, lines 4-6); and if said response is a rejection of the candidate match, displaying the data entry (Fig. 7).

Regarding claims 4-5 and 14-15, Blum teaches wherein the numeric data entry has n digits or less (inherent since the numeric data entry is telephone number), and the applying a set of rules step comprises the step of retrieving the contents of the address book location identified by the numeric data entry as a candidate match (col 3, lines 33-37).

Regarding claims 6 and 16, since the numeric data entry in Blum reference is telephone number, it is inherent that Blum teaches that the numeric data entry entered by the user is equal to x digits long, where x is greater than m but less than p .

Regarding claims 7 and 17, Weiner teaches the comparing the stored entries to the data entry (col 2, lines 20-27).

Regarding claims 8 and 18, Weiner teaches that when there is no entry that matches, no candidate matches are displayed to the user (col 4, lines 30-33).

Regarding claim 9, Weiner teaches a magnetic media device (hard disk of computer 18).

Regarding claim 11, Weiner teaches the providing the multiple candidate matches to a user interface (Fig. 4).

Regarding claim 13, it is inherent that the list of Weiner contains no duplicate.

Regarding claim 22, Blum teaches that the apparatus is a hand held computer (Fig. 4).

Regarding claim 24, Weiner teaches the displaying the candidate match to the interface (col 2, lines 20-30)

3. Claims 20-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiner, Blum, and Goodwin et al ("Goodwin", USP 5708804).

Regarding claims 20-21 and 23, Weiner and Blum does not teach that the apparatus is a cellular telephone or a computer with a modem or a telephone. However, such feature is known in the art as taught by Goodwin. Goodwin teaches a data processing device for searching a database wherein a device is a cellular telephone or a computer with a modem or a telephone (col 3, lines 51-56; col 59-65). It would have been obvious to one of ordinary skill in the art, having the teaching of Weiner, Blum, and Goodwin before him at the time the invention was made, to apply the interface method taught by Weiner and Blum in a cellular telephone or a computer with a modem or a telephone taught by Goodwin with the motivation being to use the method in different types of devices.

4. Applicant's arguments filed 11/20/03 have been fully considered but they are not persuasive.

In response to Applicant's argument that Weiner does not teach the limitation "applying a set of rules to the data entry to identify a candidate match from a list of

possible matches, the set of rules implementing a plurality of variables, the plurality of variables defining a plurality of search states from which a candidate match is selected, it is noted that such is not quite the case.

Weiner does teach the limitation since a search control (col. 2, lines 21-27) will applying a set of rules to identify a first entry ("a candidate match" in the claims) from the plurality of the entries ("a list of possible matches" in the claims), the set of rules implementing a plurality of entries as variables for the box 31, each one of the entries (variables) has a search state as being possible to be a match of the search from which a match entry (match candidate) will be selected. Since each one of the entries has a search state, plurality of entries define plurality of search states as claimed.

Although Weiner teaches that the entries are letters typed from keyboard, it is well known in the art that a keyboard comprises letters and numbers (numeric entry) also be typed from keyboard. Therefore, it is obvious that one of ordinary skill in the art can use Weiner's invention to apply for selecting entries from a list of numeral entries.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, since both Weiner and Plum are in the same field of searching and entering data entry, it would have been obvious to one of ordinary skill in the art, having the teaching of Weiner and

Blum before him at the time the invention was made, to modify the interface method taught by Weiner to include the entering and storing numeric data taught by Blum with the motivation being to enable the system to store and retrieve numeric data.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306

and / or:


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(703)-746-5639 (use this FAX #, only after approval by Examiner, for
"INFORMAL" or "DRAFT" communication. Examiners may request that a formal
paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is (703-305-
3900).

Kieu D. Vu

02/19/04



RAYMOND J. BAYERL
PRIMARY EXAMINEE
ART UNIT 2173